

City of Round Rock
Regular City Council Meeting
January 22, 2009

The Round Rock City Council met in Regular Session on Thursday, January 22, 2009, in the City Council Chamber, 221 E. Main Street.

CALL SESSION TO ORDER – 7:00 P.M.

Mayor McGraw called the meeting to order at 7:11 p.m.

ROLL CALL: Those members present were Mayor Alan McGraw, Mayor Pro-Tem Joe Clifford, Councilmember Rufus Honeycutt, Councilmember Carlos T. Salinas, Councilmember Scott Rhode and Councilmember Kris Whitfield. Also present were City Manager Jim Nuse, Assistant Manager David Kautz, Assistant City Manager Cindy Demers, and City Attorney Steve Sheets. Councilmember George White was absent from this meeting.

PLEDGE OF ALLEGIANCE:

Mayor McGraw led the following Pledges of Allegiance:

3A. United States Flag

3B. Texas State Flag

CITIZEN COMMUNICATION

Larry Yawn, 3208 Whisperingwoods Court, Round Rock, read a statement from William Orange supporting the Behrens Ranch Amendment to the Development Agreement that was approved by the City Council on January 8, 2009 and the Declaration of Restrictive Covenants that the Council is considering at this meeting.

APPROVAL OF MINUTES:

5A. Consider approval of the City Council minutes for January 8, 2009.

MOTION: Councilmember Clifford moved to approve the minutes for January 8, 2009.

Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

PRESENTATIONS:

6A1. Consider a presentation on the City's financial status. Cheryl Delaney, Finance Director made the staff presentation. She updated the Council on the current sales tax numbers and informed them that even though sales tax is down, the 2008-2009 budget is still being met.

6B1. Consider a presentation on the Transportation Capital Improvement Program (TCIP) Quarterly Report. John Dean made the staff presentation and went over the status of all projects included in the TCIP.

6C1. Consider a presentation and discussion regarding the conceptual design of the City Hall Policy Center. David Bartels, made the staff presentation and representatives from the architects also made a presentation and covered the conceptual designs and layouts that are being considered.

6D1. Consider a presentation and discussion regarding the West Side Recreation Center. Rick Atkins, Parks and Recreation Director made the staff presentation on the West Side Rec Center.

The following items were considered out of the order of the regular agenda:

9A1. Consider a resolution approving the reimbursement to Behrens Subdivision N.G., LTD. for public improvements. David Kautz, Assistant City Manager made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock ("City") has previously entered into a Development Agreement with Behrens Subdivision, Ltd. ("Developer"), regarding a public improvement district (the Agreement"), and

WHEREAS, on January 8, 2009, the City Council adopted Resolution No, R-09-01-08-8D1, which authorized the Mayor to execute the First Amendment to the Agreement modifying certain terms and conditions of that Agreement (the "Amendment");

WHEREAS, pursuant to the Amendment, the City desires to reimburse Developer the amount of THREE MILLION THREE HUNDRED NINETY-EIGHT THOUSAND AND NO/100 DOLLARS (\$3,398,000.00) for costs incurred by Developer for the construction of public improvements, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Director of Finance is hereby authorized to reimburse to Developer, or its assigns, the sum of THREE MILLION THREE HUNDRED NINETY-EIGHT THOUSAND AND NO/100 DOLLARS (\$3,398,000.00), pursuant to Section 1 of the Amendment.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and

the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Rhode moved to approve the resolution. Mayor Pro-Tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9D1. Consider a resolution authorizing the Mayor to execute a Declaration of Restrictive Covenants regarding 226 acres located in the Behrens Ranch Subdivision. Rick Atkins, Parks and Recreation Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, 226 acres of open space ("Property") located within the Behrens Ranch Subdivision has been conveyed to the City of Round Rock, Texas ("City"), and

WHEREAS, the City wishes to enter into a Declaration of Restrictive Covenants with respect to the development of said Property as a park, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Declaration of Restrictive Covenants, a copy of same being attached hereto as Exhibit "A" and incorporated herein.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Whitfield moved to approve the resolution. Mayor Pro-Tem Clifford seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

Mayor McGraw continued with the regular order of the agenda.

PUBLIC HEARINGS:

7A1. Consider public testimony regarding proposed amendments to Sections 8.116 and 11.301, Round Rock Code of Ordinances, regarding Subdivision and Zoning fees. Jim Stendebach, Planning and Community Development made the staff presentation.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

7A2. Consider public testimony regarding proposed amendments to Chapter 11, Round Rock Code of Ordinances, to establish a definition for “Research and Development” and to identify the zoning districts in which the use will be allowed; and to amend the definition of “Hazardous Material” and “Light Industrial Service, Manufacturing and Assembly.” Jim Stendebach, Planning and Community Development Director made the staff presentation.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

7A3. Consider public testimony regarding an application filed by Palm Valley Lutheran Church to rezone 3,284 square feet of land from the PF-3 (Public Facilities – High Intensity) zoning district to the PF-3-H (Public Facilities – High Intensity with Historic Zoning Overlay) zoning district (Palm Valley Lutheran Church Sanctuary Building). Jim Stendebach, Planning and Community Development Director made the staff presentation.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

ORDINANCES:

8A1. Consider an ordinance amending Chapter 9, Section 9.503, Round Rock Code of Ordinances, amending a school speed zone on Gattis School Road. (First Reading)(Requires Two Readings) Tom Martin, Transportation Services Director made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, CHAPTER 9, SECTION 9.503 AMENDING A SCHOOL SPEED ZONE ON GATTIS SCHOOL

ROAD; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to adopt the ordinance. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

8B1. Consider an ordinance amending Sections 8.116 and 11.301, Round Rock Code of Ordinances, regarding Subdivision and Zoning fees. (First Reading) Jim Stendebach, Planning and Community Development Director made the staff presentation earlier during the meeting.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTERS 8 AND 11, SECTIONS 8.116 AND 11.301, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING SUBDIVISION AND ZONING FEES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Mayor Pro-Tem Clifford moved to adopt the ordinance. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

MOTION: Councilmember Salinas moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Whitfield seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield
--------------	-------	--

Mayor Pro-Tem Clifford
Mayor McGraw
Nays: None
Absent: Councilmember White

ACTION: The motion carried unanimously.

8B2. Consider an ordinance amending Chapter 11, Round Rock Code of Ordinances, to establish a definition for “Research and Development” and to identify the zoning districts in which the use will be allowed; and to amend the definition of “Hazardous Material” and “Light Industrial Service, Manufacturing and Assembly.” (First Reading) Jim Stendebach, Planning and Community Development Director made the staff presentation earlier in the meeting.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 11, SECTIONS 11.402, 11.412, 11.413, 11.414, 11.415.2, 11.423, AND 11.802 CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO AMEND PERMITTED USES, TO AMEND THE DEFINITIONS OF “HAZARDOUS MATERIAL” AND “LIGHT INDUSTRIAL SERVICE, MANUFACTURING AND ASSEMBLY”, AND TO ADD THE DEFINITION OF “RESEARCH AND DEVELOPMENT”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Rhode moved to adopt the ordinance. Councilmember Honeycutt seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
Councilmember Salinas
Councilmember Rhode
Councilmember Whitfield
Mayor Pro-Tem Clifford
Mayor McGraw
Nays: None
Absent: Councilmember White

ACTION: The motion carried unanimously.

MOTION: Councilmember Salinas moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Mayor Pro-Tem Clifford seconded the motion.

VOTE: Ayes: Councilmember Honeycutt
Councilmember Salinas
Councilmember Rhode
Councilmember Whitfield
Mayor Pro-Tem Clifford
Mayor McGraw
Nays: None
Absent: Councilmember White

ACTION: The motion carried unanimously.

8B3. Consider an ordinance to rezone 3,284 square feet of land from the PF-3 (Public Facilities – High Intensity) zoning district to the PF-3-H (Public Facilities – High Intensity with Historic Zoning Overlay) zoning district (Palm Valley Lutheran Church Sanctuary Building). (First Reading) Jim Stendebach, Planning and Community Development Director made the staff presentation earlier in the meeting.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ROUND ROCK, TEXAS ADOPTED IN SECTION 11.401(2)(a), CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 3,284 SQUARE FEET OF LAND, KNOWN AS THE 1894 SANCTUARY BUILDING OF THE PALM VALLEY LUTHERAN CHURCH, IN ROUND ROCK, WILLIAMSON COUNTY, TEXAS, FROM DISTRICT PF-3 (PUBLIC FACILITIES – HIGH INTENSITY) TO DISTRICT PF-3-H (PUBLIC FACILITIES – HIGH INTENSITY WITH THE HISTORIC ZONING OVERLAY).

MOTION: Mayor Pro-Tem Clifford moved to adopt the ordinance. Councilmember Whitfield seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

MOTION: Councilmember Whitfield moved to dispense with the second reading of the ordinance with the unanimous consent of all the Councilmembers present and to adopt the ordinance. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

RESOLUTIONS:

9A1. Consider a resolution approving the reimbursement to Behrens Subdivision N.G., LTD. for public improvements. This item was considered earlier in the meeting out of the regular order of the agenda.

9B1. Consider a resolution approving the Operating Budget for the Round Rock Transportation System Development Corporation for FY 2008-2009. Cheryl Delaney, Finance Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the Round Rock Transportation System Development Corporation has submitted a proposed operating budget for fiscal year 2008-2009, and
WHEREAS, the City Council wishes to approve said proposal, Now Therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,
That the operating budget submitted by and for the Round Rock Transportation System Development Corporation for fiscal year 2008-2009, attached hereto as Exhibit “A”, is hereby approved.
The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act,
RESOLVED this 22nd day of January, 2009.

MOTION: Mayor Pro-Tem Clifford moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9C1. Consider a resolution authorizing the Mayor to execute a construction contract with Prism Development, Inc. for the Additions and Renovations to the Vehicle Maintenance Facility and authorizing the Mayor to execute a Standard Form of Agreement. Tom Word, Chief of Public Works, made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously determined in Resolution No. R-07-03-08-12A1 that “Competitive Sealed Proposal” is the delivery method which provides the best

value for the City for the additions and renovations to the Vehicle Maintenance Facilities located at 901 Luther Peterson Place, and

WHEREAS, after advertising for and receiving proposals from offerors, the City of Round Rock determines that Prism Development, Inc. is the offeror which offers the best value for the City, and

WHEREAS, the City Council now wishes to enter into a "Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum" with Prism Development, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That, after advertising for and receiving proposals from offerors, the City of Round Rock hereby finds that Prism Development, Inc. is the offeror which offers the best value for the City.

BE IT FURTHER RESOLVED

That the Mayor is hereby authorized and directed to execute on behalf of the City a "Standard Form of Agreement Between Owner and Contractor Where the Basis of Payment is a Stipulated Sum" with Prism Development, Inc. for the additions and renovations to the Vehicle Maintenance Facilities located at 901 Luther Peterson Place, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9D1. Consider a resolution authorizing the Mayor to execute a Declaration of Restrictive Covenants regarding 226 acres located in the Behrens Ranch Subdivision. This item was considered earlier in the meeting out of the regular order of the agenda.

9D2. Consider a resolution authorizing the Mayor to execute Change Order No. 2 with Journeyman Construction for the Old Settlers Park Sports Complex Improvements Project "B."

Rick Atkins, Parks and Recreation Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with Journeyman Construction, Inc. for the OSPV Sports Complex Improvements Project "B", and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 2, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, Contract Change Order No. 2 to the Contract with Journeyman Construction, Inc. for the OSPV Sports Complex Improvements Project “B”, a copy of said change order being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9E1. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with Fisher Hagood, Inc. for the Westside Recreation Center Utilities project. Michael Thane, Utilities Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain engineering services for the Westside Recreation Center Utilities Project, and

WHEREAS, Fisher Hagood, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with Fisher Hagood, Inc., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with Fisher Hagood, Inc. for the Westside Recreation Center Utilities Project, a copy of said contract being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9E2. Consider a resolution authorizing the Mayor to execute Change Order No. 1 to the construction contract with Excel Construction Services, LLC for the 7.5 MG High Services Pump Improvements Project at the Water Treatment Plant. Michael Thane, Utilities Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock has previously entered into a contract ("Contract") with Excel Construction Services, LLC for the 7.5 MG High Service Pump Improvements Project at the Water Treatment Plant, and

WHEREAS, the Council has determined that it is necessary to make changes to the quantity of work to be performed or materials, equipment, or supplies to be provided, and

WHEREAS, it has been determined that it is necessary to change said Contract in accordance with the attached Contract Change Order No. 1, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, Contract Change Order No. 1 to the Contract with Excel Construction Services, LLC for the 7.5 MG High Service Pump Improvements Project at the Water Treatment Plant, a copy of said change order being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Mayor Pro-Tem Clifford moved to approve the resolution. Councilmember Rhode seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None

WHEREAS, the City of Round Rock ("City") has previously entered into a Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project with Brushy Creek Regional Utility Authority, Inc., the City of Cedar Park, and the City of Leander (the "Parties"), and

WHEREAS, the City now desires to enter into a First Amendment to the Master Contract to reflect the new operational date of April 1, 2012, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a First Amendment to the Master Contract for the Financing, Construction and Operation of the BCRUA Regional Water Treatment and Distribution Project, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Rhode moved to approve the resolution. Councilmember Honeycutt seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9F1. Consider a resolution approving the action of the Round Rock Transportation System Development Corporation in amending the Transportation Capital Improvement Program (TCIP). John Dean made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the Round Rock Transportation System Development Corporation ("RRTSDC") has previously adopted a Transportation Capital Improvement Plan ("Plan"), and

WHEREAS, the RRTSDC wishes to amend said Plan, and

WHEREAS, the bylaws of the RRTSDC require that said amendments to the Plan be approved by the City Council, and

WHEREAS, the City Council wishes to approve said amendments to the Plan, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the amendment to the Transportation Capital Improvement Plan approved by the Round Rock Transportation System Development Corporation, which is attached hereto as Exhibit "A", is hereby approved.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Mayor Pro-Tem Clifford moved to approve the resolution. Councilmember Salinas seconded the motion.

ACTION: The motion carried unanimously.

9F2. Consider a resolution authorizing the Mayor to execute an Advance Funding Agreement with the Texas Department of Transportation for the relocation of water and wastewater lines on FM1460 (A.W. Grimes North). Tom Martin, Transportation Services Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, Chapter 791 of the Texas Government Code, V.T.C.A., authorizes local governments and agencies of the state to enter into agreements with one another to perform governmental functions and services, and

WHEREAS, the City of Round Rock wishes to enter into an Advance Funding Agreement for Voluntary Local Government Contributions to Transportation Improvement Projects with No Required Match (“Agreement”) with the State of Texas, acting through the Texas Department of Transportation regarding the FM 1460 (now known as A.W. Grimes) Water and Wastewater Lines Relocation Project, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City said Agreement, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Rhode seconded the motion.

ACTION: The motion carried unanimously.

9F3. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HDR Engineering, Inc. for the Meister Lane project. Tom Martin, Transportation Services Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain engineering services for the Meister Lane Project, and

WHEREAS, HDR Engineering, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with HDR Engineering, Inc.,
Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with HDR Engineering, Inc. for the Meister Lane Project, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Mayor Pro-Tem Clifford moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9F4. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with CP&Y, Inc. for traffic signal improvements on A.W. Grimes at Logan Road and Round Rock Ranch Boulevard at Gattis School Road. Tom Martin, Transportation Services Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain engineering services for the traffic signal improvements on A. W. Grimes at Logan Road and Round Rock Ranch at Gattis School Road Project, and

WHEREAS, CP&Y, Inc. has submitted a Contract for Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with CP&Y, Inc., Now

Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Contract for Engineering Services with CP&Y, Inc. for the traffic signal improvements on A. W. Grimes at Logan Road and Round Rock Ranch at Gattis School Road Project, a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember

Whitfield seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember White

ACTION: The motion carried unanimously.

9F5. Consider a resolution authorizing the Mayor to execute an Annual Contract for

General Engineering Services with Huggins/Seiler & Associates, L.P. Tom Martin,

Transportation Services Director made the staff presentation.

RESOLUTION NO. _____

WHEREAS, the City of Round Rock desires to retain general engineering services, and
WHEREAS, Huggins/Seiler & Associates, L.P. has submitted an Annual Contract for General Engineering Services to provide said services, and

WHEREAS, the City Council desires to enter into said contract with Huggins/Seiler & Associates, L.P., Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City an Annual Contract for General Engineering Services with Huggins/Seiler & Associates, L.P., a copy of said contract being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Mayor Pro-Tem Clifford moved to approve the resolution. Councilmember

Whitfield seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember White

ACTION: The motion carried unanimously.

9F6. Consider a resolution authorizing the Mayor to execute a Nonprofit Funding Agreement with the Clean Air Force of Central Texas to provide educational public outreach and programs dedicated to safeguarding and improving air quality in Central Texas. John Dean made the staff presentation.

RESOLUTION NO.

WHEREAS, the City of Round Rock evaluates funding requests from local nonprofit agencies to identify and help fund valuable, needed community services, and

WHEREAS, the City of Round Rock has received a request for funds from Clean Air Force of Central Texas, a non-profit corporation ("Agency"), and

WHEREAS, the City Council hereby determines that the requested funds will be used for a public purpose, namely to provide educational public outreach and programs dedicated to safeguarding and improving air quality in central Texas, and

WHEREAS, the City Council desires to enter into a Nonprofit Funding Agreement with the Agency, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City a Nonprofit Funding Agreement with the Agency, a copy of said agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of January, 2009.

MOTION: Councilmember Honeycutt moved to approve the resolution. Councilmember Whitfield seconded the motion.

VOTE:

Ayes:	Councilmember Honeycutt Councilmember Salinas Councilmember Rhode Councilmember Whitfield Mayor Pro-Tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember White

ACTION: The motion carried unanimously.

EXECUTIVE SESSION:

10A1. Consider Executive Session as authorized by §551.072 Government Code, related to the purchase of real property to wit: Approximately 110 acres owned by Cypress Semiconductor and located between Cypress Boulevard and Interstate 35.

This item was completed during the earlier work session and was not considered again.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:04 p.m.

Respectfully Submitted,

Sara L. White, City Secretary